

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS
OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The Department of Environmental Conservation proposes to adopt regulation changes in Title 18 of the Alaska Administrative Code, dealing with Drinking Water, including the following:

- At 18 AAC 80.010(a)(12), amend the revision date of the Code of Federal Regulations (CFR) from July 1, 2005, to July 1, 2008, to incorporate the amendments from the “Lead and Copper Short-term Regulatory Revisions and Clarifications” Rule into regulatory provisions that the department has previously adopted by reference (40 CFR 141.80-141.91, Subpart I, Control of Lead and Copper). These revisions deal only with lead, not copper, specifically in monitoring, treatment processes, public education, customer awareness, and lead service line replacement.
- At 18 AAC 80.010(a)(6), amend the CFR revision date of the previously adopted-by-reference provision of 40 CFR 141.23(k)(1) from July 1, 2005, to July 1, 2008. This will update the CFR language of a cross-reference in the new Lead and Copper revisions, specifically dealing with methods for inorganic chemical analysis.
- At 18 AAC 80.010(a)(14), amend the CFR revision date of the previously adopted-by-reference provision of 40 CFR 141.154(d) from July 1, 2005, to July 1, 2008. This CFR citation, dealing with lead-specific language for the Consumer Confidence Report, has been amended in the new federal Lead and Copper revisions.
- At 18 AAC 80.010(a)(5)(A), add the federal definition of “ground water under the direct influence of surface water or GWUDI”; this is due to the cross-reference of that phrase in the Lead and Copper provisions adopted by reference.
- In 18 AAC 80.1990(a)(66), amend the department’s definition of “ground water under the direct influence of surface water or GWUDISW” to allow the continued use of the abbreviation “GWUDISW,” which appears throughout 18 AAC 80.

No repeals of any provisions of 18 AAC 80 are proposed.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Gloria Collins, Regulations Specialist, Drinking Water Program, Division of Environmental Health, Department of Environmental Conservation, at 555 Cordova Street, Anchorage, AK 99501, by facsimile at 907-269-7655, or by e-mail to gloria.collins@alaska.gov. The comments must be received no later than 5:00 p.m. on August 10, 2009.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Gloria Collins at the Division of Environmental Health, Department of Environmental Conservation, 907-269-3075, no later July 24, 2009, to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Gloria Collins at the Division of Environmental Health, Department of Environmental Conservation, at 907-269-3075 or go to the DEC’s website, Public Notices section, at http://www.dec.state.ak.us/public_notices.htm.

After the public comment period ends, the Department of Environmental Conservation will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE**

AFFECTED. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 44.46.020; AS 44.46.025; AS 46.03.020

Statutes Being Implemented, Interpreted, or Made Specific: AS 46.03.010; AS 46.03.020;
AS 46.03.050; AS 46.03.070; AS 46.03.710; AS 46.03.720, AS 46.03.860

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: July 6, 2009



Larry Hartig, Commissioner